

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
UNITED STATES OF AMERICA, :
:-----
-v- : 20-cr-499 (JSR)
:-----
KEITH HALLIBURTON, : ORDER
:-----
Defendant. :
----- x
JED S. RAKOFF, U.S.D.J.

In a *pro se* letter to the Court, defendant Keith Halliburton requests review of the forfeiture of (5) assorted money orders, VL: \$3,900.00 seized when he was arrested on August 27, 2020. ECF No. 65. In the letter, Mr. Halliburton asserts that he was never served with notice of the forfeiture. Id. at 2. Mr. Halliburton attaches to the letter a response from the Department of Justice denying Mr. Halliburton's petition for remission or mitigation regarding the forfeiture; the letter does not address the question of what notice was provided to Mr. Halliburton.

While the DOJ's decision on the merits of the petition is not subject to judicial review, see United States v. One 1987 Jeep Wrangler Automobile, 972 F.2d 472, 479 (2d Cir. 1992), this Court retains jurisdiction to review the constitutional question of the adequacy of the notice of the forfeiture provided to Mr. Halliburton and whether it comports with the Due Process Clause

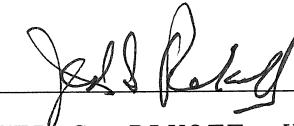
of the Fifth Amendment, see United States v. Brome, 942 F.3d 552-54 (2d Cir. 2019).

The Government is directed to file a response regarding the notice provided to Mr. Halliburton no later than 5:00 p.m. on Friday, April 1, 2022.

SO ORDERED.

Dated: New York, NY

March 25, 2022



JED S. RAKOFF, U.S.D.J.